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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ROBERT WARD GARRISON,

11 Plaintiff,

12 v.

13 DOUGLAS WADDINGTON, *et al.*,

14 Defendants.

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16 Case No. C05-5487RJB

17 ORDER

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19 This matter comes before the Court on the Report and Recommendation of U.S. Magistrate Judge
20 Karen L. Strombom. Dkt. 109. The Court has considered the Report and Recommendation, objections to
21 the Report and Recommendation, if any, and the remainder of the file herein.

22 On August 2, 2005, Plaintiff filed, pro se, a complaint pursuant to 42 U.S.C. § 1983. Dkt. 1. On
23 October 5, 2007, Plaintiff moved for class action certification on counts I and IV of his complaint. Dkt.
24 95. In her Report and Recommendation, Judge Strombom recommends denial of the motion. Dkt. 109.
25 The Report and Recommendation should be adopted. Plaintiff has failed to meet the requirements of Fed.
26 R. Civ. P. 23 and Local Fed. R. Civ. P. 23.

27 Therefore, it is **ORDERED** that:

- 28 • The Report and Recommendation (Dkt. 109) is **ADOPTED**;
- Plaintiff's Motion for Court to Liberally Construe Pro Se Prisoner's Complaint and Certify as a
Class Action Claims: Count I; and IV (Dkt. 95) is **DENIED**;
- This case is **RE-REFERRED** to U.S. Magistrate Judge Karen L. Strombom; and

- 1 • The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
2 party appearing *pro se* at said party's last known address.

3 DATED this 8th day of January, 2008.

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6 ROBERT J. BRYAN
7 United States District Judge
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